



**ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS**

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**Regular Session Minutes**

**July 11, 2008**

**Board Members Present:** Rebecca Grabski, OTA Vice-Chair  
John Tutelman, Public Representative  
Deborah Devine, Public Representative

**Board Members Absent:** Geri DeWaard, OTR, Chair  
Kathryn Babits, OTR, Member

**Staff Present:** Linda A. Wells, Executive Director  
Vicki Egurrola, Administrative Assistant

**Legal Representative:** Bridget Harrington, Assistant Attorney General

**Call to Order**

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:31 p.m., Rebecca Grabski, OTA Vice-Chair presiding.

**Approval of Minutes**

**Regular Session Minutes of June 13, 2008**

Mr. Tutelman moved to approve the June 13, 2008 regular session meeting minutes. Ms. Devine seconded the motion. The motion passed 3-0.

**Executive Session Minutes of June 13, 2008**

Mr. Tutelman moved to approve the June 13, 2008 executive session meeting minutes. Ms. Devine seconded the motion. The motion passed 3-0.

**Initial Review of Complaints**

08-004-C/08-005-C ROBERT J. NAVARRO, OTR

The Board is in receipt of two complaints filed against Robert J. Navarro, OTR initiated by J.W. and P.H. Both men are acquaintances of Mr. Navarro. The Board is also in receipt of Mr. Navarro's written response along with a letter from attorney Kent E. Turley representing Mr. Navarro.

The complainants allege that Mr. Navarro's conduct was sexually inappropriate during a message they received from him in his home, at separate times.

Ms. Grabski moved to go into executive session at 1:32 p.m. for the purpose of receiving confidential legal advice from Assistant Attorney General, Bridget Harrington. Ms. Devine seconded the motion. The motion passed 3-0.

The Board left executive session and entered regular session at 1:38 p.m.

Following discussion, Mr. Tutelman moved to dismiss both complaints finding no apparent violation of the Arizona Revised Statutes governing the practice of occupational therapy, and moved to refer the complaints to the Board of Message Therapy. Ms. Devine seconded the motion.

#### Roll Call Vote

Mr. Tutelman voted aye, Ms. Devine voted aye, Ms. Grabski voted aye. The motion carried 3 ayes and 0 nays.

#### **Probationary Status Reports**

##### **Shawn A. Keams, OTA**

Shawn A. Keams, OTA is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a signed Consent Agreement.

Ms. Wells reported that the Board has not received the June, 2008 monthly report from Mr. Keams regarding his monthly attendance at AA meetings.

Ms. Wells will place a follow-up phone call to Mr. Keams, and report any findings at the next Board meeting.

##### **Complaint No. 07-135-B Cody DeGuzman, OTA**

Cody DeGuzman, OTA is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a Consent Agreement.

The Board is in receipt of a letter from Mr. DeGuzman, along with copies of class course descriptions in moral ethics submitted for pre-approval by the Board in compliance with his consent agreement.

Following review and discussion, Ms. Devine moved to approve the 6 CE courses. Mr. Tutelman seconded the motion. The motion passed 3-0.

##### **Complaint No. 08-003-B Sherri Sones, OTR**

Sherri Sones, OTR is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a Consent Agreement.

Ms. Wells reported that the Consent Agreement and Order requires that Ms. Sones provide proof to the Board that she has written a letter to all clients she treated during

the time period she was unlicensed, as well as the insurance carriers. It was reported that Ms. Sones has not provided the proof, but that she has on or before June 23, 2009.

**Substantive Review, Discussion, and Vote Re: The Applications For Licenses As Follows:**

**a. Initial Applications**

Mr. Tutelman moved to approve all of the initial applicants listed on the July, 2008 initial applications list. Ms. Devine seconded the motion. The motion passed 3-0.

**b. Renewal of Licenses**

Ms. Devine moved to approve all of the license renewal applicants listed on the July, 2008 renewal of licensees list. Mr. Tutelman seconded the motion. The motion passed 3-0.

**c. Limited Permits**

Ms. Devine moved to approve all of the applications listed on the July, 2008 limited permit list. Mr. Tutelman seconded the motion. The motion passed 3-0.

**Executive Director's Report**

**a. Revenue and Expenditure Report**

The Board reviewed the May, 2008 Revenue and Expenditure Report.

**b. Agency Fund Sweeps**

Ms. Wells reported that HB 2209 was signed by the governor which allows for revenue fund sweeps from several state agencies. Ms. Wells reported that the impact of the fund sweep on the Occupational Therapy Board will cause the expenditures to exceed the revenues. Further analysis of year-end data will need to be evaluated by the Board prior to considering possible fee increases.

**c. Fiscal Year 2009 expenditures**

The Board discussed the expenditure needs for the agency in fiscal year 2009. Ms. Wells reminded the Board of the 70/30 expenditure split between the Occupational Therapy Board and the Athletic Training Board.

Following discussion, Mr. Tutelman moved to approve an expenditure amount not to exceed \$14,000.00 of the Board's portion of the cost for the purchase of a new copy machine and three new computers. Ms. Devine seconded the motion. The motion passed 3-0.

**d. Fiscal Year 2010-2011 budget**

Ms. Wells reported that the submission date for the Board's 2010-2011 bi-annual budget is due no later than September 1, 2008. Ms. Wells informed the Board that expenditures will need to be evaluated due to the fund sweep. Part of the expenditure plan to be addressed will be a potential relocation of the Board office to a less expensive site when their 5 year lease agreement ends in October, 2009.

**Review, Discussion & Possible Action Regarding Possible Salary Increase for Admin. Assistant Pursuant to A.R.S. §38-431.03(A)(1)**

Ms. Devine moved to go into executive session at 2:10 p.m. to discuss the salary and possible re-classification of one of the two administrative assistant II positions. Mr. Tutelman seconded the motion. The motion passed 3-0.

The Board left executive session and entered regular session at 2:15 p.m.

Mr. Tutelman moved to eliminate one of the administrative assistant II positions, and create a new job position entitled "licensing specialist" grade 18 with a salary range of \$31,110.00 - \$53,107.00 contingent upon the lifting of the state hiring freeze. Ms. Devine seconded the motion. The motion passed 3-0.

**Other Board Business and Reports**

**a. SB1128**

Ms. Wells reported that SB1128 was signed by the governor and the bill will become effective on September 26, 2008.

**Review Meeting Schedule**

Mr. Tutelman reported that he will not be at the August, 2008 meeting. Ms. Devine reported that she will not be at the September, 2008 meeting.

**Call to the Public**

No public comment was received.

**Adjournment**

There being no further business before the Board, the meeting was adjourned at 2:22 p.m.

Respectfully submitted,

Linda A. Wells  
Executive Director

